

REMARKS

In the non-final Office Action, the Examiner objects to the specification as allegedly failing to provide proper antecedent basis for the claimed subject matter; objects to claim 102 due to alleged minor informalities; rejects claims 97-114 under 35 U.S.C. § 112, first paragraph, for allegedly failing to comply with the written description requirement; rejects claims 97-114 under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter Applicants regard as the invention; rejects claims 97-115 under 35 U.S.C. § 103(a) as allegedly unpatentable over ARCHER (U.S. Patent No. 6,683,870) in view of McNAIR (U.S. Patent No. 4,608,455); rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-17 of U.S. Patent No. 6,381,644; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-21 of U.S. Patent No. 6,377,993; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-23 of U.S. Patent No. 6,385,644; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-8 of U.S. Patent No. 6,470,386; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-20 of U.S. Patent No. 6,490,620; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-34 of U.S. Patent No. 6,574,661; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-21 of U.S. Patent No. 6,598,167; rejects claims 97-115 on the grounds of

non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-26 of U.S. Patent No. 6,606,708; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-73 of U.S. Patent No. 6,611,498; rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-10 of U.S. Patent No. 6,745,229; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-11 of U.S. Patent No. 6,763,376; rejects claims 97-115 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-20 of U.S. Patent No. 6,968,571; and rejects claims 97-114 on the grounds of non-statutory obviousness-type double patenting as allegedly unpatentable over claims 1-11 of U.S. Patent No. 7,058,600. Applicants respectfully traverse these objections and these rejections.

By way of this Amendment, Applicants amend claims 97-102 and 104-115 to improve form; cancel claim 103 without prejudice or disclaimer; and add new claims 116-120. No new matter is added by the present Amendment. Claims 97-102 and 104-120 are pending.

Objection to the Specification

The Examiner objects to the specification for allegedly failing to provide proper antecedent basis for the claimed subject matter. Without acquiescing in the objection to the specification and in order to expedite prosecution, Applicants amend claims 97, 98, and 106 to address the concerns raised by the Examiner in the Office Action at page 2.

Accordingly, Applicants respectfully request that the objection to the specification be reconsidered and withdrawn.

Objection to the Claims

Claim 102 stands objected to because of alleged minor informalities. Applicants respectfully traverse this objection. Without acquiescing in the objection to claim 102 and in order to expedite prosecution, Applicants amend claim 102 to address the concerns raised by the Examiner in the Office Action at page 3. Accordingly, Applicants respectfully request that the objection to claim 102 be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, 1st paragraph

Pending claims 97-102 and 104-114 stand rejected under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. Without acquiescing in this rejection and in order to expedite prosecution, Applicants amend claims 97 and 110 to address the concerns raised by the Examiner in the Office Action at pages 3 and 4. Claims 98-102 and 104-109 depend from claim 97 and claims 111-114 depend from claim 110. Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 under 35 U.S.C. § 112, first paragraph be reconsidered and withdrawn.

Rejection under 35 U.S.C. § 112, 2nd paragraph

Pending claims 97-102 and 104-114 stand rejected under 35 U.S.C. § 112, second paragraph, as allegedly failing particularly point out and distinctly claim the subject

matter which Applicants regard as the invention. Without acquiescing in this rejection and in order to expedite prosecution, Applicants amend claims 97 and 110 to address the concerns raised by the Examiner in the Office Action at pages 4 and 5. Claims 98-102 and 104-109 depend from claim 97 and claims 111-114 depend from claim 110. Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 under 35 U.S.C. § 112, second paragraph be reconsidered and withdrawn..

Rejection under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR

Pending claims 97-102 and 104-115 stand rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over ARCHER in view of MCNAIR. Applicants respectfully traverse this rejection.

As an initial observation, Applicants respectfully submit that ARCHER does not qualify as prior art under 35 U.S.C. § 103(a). In particular, 35 U.S.C. § 103(c)(1), which qualifies § 103(a), states:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

As described below, Applicants submit that 35 U.S.C. § 103(c) is applicable to ARCHER with respect to the present application, and therefore, ARCHER et al. does not qualify as citable prior art.

As an initial observation, Applicants submit that ARCHER, as patent granted on an application for patent by another filed in the United States before the filing date of the

present application but granted after the filing of the present application, qualifies as prior art only under 35 U.S.C. § 102(e).

Furthermore, both the present application and ARCHER, at the time that the invention of the present application was made, were owned by or subject to an obligation of assignment to the same person, MCI Communications Corporation of Washington, DC.

Thus, according to 35 U.S.C. § 103(c), ARCHER is not citable against the present application in a rejection under 35 U.S.C. § 103(a). Applicants, therefore, respectfully request that the Examiner reconsider and withdraw the rejection of pending claims 97-115 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR.

Furthermore, Applicants submit that MCNAIR does not disclose or suggest one or more of the features recited in pending claims 97-102 and 104-115.

Independent claim 97, as amended, is directed to an integrated and secure system for conducting business over a public Internet by enabling a customer, of a communications network, to command and control the customer's switched communications connections within the communications network and to view results of any changes in the customer's connections, the system comprising: at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. The system further includes at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources,

where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service. The plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. MCNAIR does not disclose this combination of features.

For example, MCNAIR does not disclose at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions, as recited in amended claim 97.

Furthermore, MCNAIR does not disclose at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-

time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer, as recited in amended claim 97.

For at least the foregoing reasons, Applicants submit that claim 97, as amended, is patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination. Accordingly, Applicants respectfully request that the rejection of claim 97 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Pending claims 98-102 and 104-109 depend from claim 97. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 97. Accordingly, Applicants respectfully request that the rejection of claims 98-102 and 104-109 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Independent claims 110 and 115, as amended, recite features similar to, yet possibly of different scope than, feature discussed above with respect to claim 97. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least reasons similar to the reasons set forth above with respect to claim 97. Accordingly, Applicants respectfully request that the rejection of claims 110 and 115 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Claims 111-114 depend from claim 110. Therefore, these claims are patentable over ARCHER and MCNAIR, whether taken alone or in any reasonable combination, for at least the reasons set forth above with respect to claim 110. Accordingly, Applicants respectfully request that the rejection of claims 111-114 under 35 U.S.C. § 103(a) based on ARCHER and MCNAIR be reconsidered and withdrawn.

Rejections on the Grounds of Non-Statutory Obviousness-Type Double Patenting

The Examiner indicates that the double patenting rejections would be reconsidered and withdrawn if the outstanding rejections of the pending claims under 35 U.S.C. § 112, first and second paragraphs were to be adequately addressed (Office Action at page 12). Applicants submit, as described above, that the rejections of claims 97-102 and 104-114 under 35 U.S.C. § 112, first and second paragraphs should be reconsidered and withdrawn in view of the amendments, herein, to claims 97 and 110. Accordingly, the double patenting rejections should also be reconsidered and withdrawn.

Furthermore, in making an obviousness-type double patenting rejection, the Examiner should make clear (a) the differences between the inventions defined by the conflicting claims – a claim in one patent application compared to a claim in the other patent application; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the a claim of the other patent application (see M.P.E.P § 804). In the Office Action, the Examiner does not provide sufficient evidence to support the obviousness-type double patenting rejections.

1) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-17 of U.S. Patent No. 6,381,644. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 12):

The '644 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one authentication secure server," claim 1), at least one dispatch server ("a dispatch server," claim 1), a network manager ("outbound network manager," claim 1), and a view application (on "network configuration device," claim 1). Claim 1 of the '644 patent contains additional elements (i.e. application secure server) not needed to anticipate the instant claims. However, Applicants have used the term "comprising" in their current claims which allows for additional elements to be present.

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the dispatch server recited in claim 1 of U.S. Patent No. 6,381,644. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,381,644. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the

communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,381,644 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,381,644; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,381,644, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-17 of U.S. Patent No. 6,381,644 be reconsidered and withdrawn.

2) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,377,993. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at pages 12 and 13):

The '993 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one authentication secure server," claim 1), at least one dispatch server ("a dispatch server," claim 1), a network manager ("outbound network manager," claim 1), and a view application (on "network configuration device," claim 1). Also, the '993 patent contains extra limitations not required in the instant application.

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the dispatch server recited in claim 1 of U.S. Patent No. 6,377,993. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,377,993. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,377,993 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,377,993; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,377,993, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104 -115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-21 of U.S. Patent No. 6,377,993 be reconsidered and withdrawn.

3) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-23 of U.S. Patent No. 6,385,644. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 13):

Although the conflicting claims are not identical, they are not patentably distinct from each other because the only substantive difference between the two sets of claims in relation to the type of communication supported (voice or data), which would be an obvious modification.

Applicants submit that this allegation is in no way sufficient for establishing a proper case of double patenting. In addition, Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,385,644. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer,

determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,385,644 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,385,644; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,385,644, as set forth in M.P.E.P. § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-23 of U.S. Patent No. 6,385,644 be reconsidered and withdrawn.

4) Pending claims 97-102 and 104-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-8 of U.S. Patent No. 6,470,386. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action page 13):

The '386 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("a device for generating statistical data," claim 1), a network manager ("customer," claim 8), and a view application (on "a retrieval device," claim 1). In the '386 patent, the customer has to manually route the traffic. "[P]roviding an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art" (MPEP 2144.04 III).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97 is an obvious variant of a device for generating statistical data, as recited in claim 1 of U.S. Patent No. 6,470,386. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,470,386. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a

network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,470,386 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,470,386; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,470,386, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104 on the grounds of non-statutory obviousness-type double patenting based on claims 1-8 of U.S. Patent No. 6,470,386 be reconsidered and withdrawn.

5) Pending claims 97-102 and 104-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,490,620. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 13 and 14):

The '620 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("a device for

receiving network information,” claim 1), a network manager (“a device for periodically polling network switches,” claim 1), and a view application (on “integrated interface,” claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the device for receiving network information recited in claim 1 of U.S. Patent No. 6,490,620. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,490,620. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,490,620 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,490,620; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,490,620, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-20 of U.S. Patent No. 6,490,620 be reconsidered and withdrawn.

6) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-34 of U.S. Patent No. 6,574,661. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 14):

The '661 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("a network configuration system," claim 1), a network manager ("a network manager," claim 1), and a view application (on "integrated interface," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the network configuration system recited in claim 1 of U.S. Patent No. 6,574,661. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,574,661. For example, claim 97, as amended, recites at least one secure web server that

manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,574,661 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,574,661; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,574,661, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-34 of U.S. Patent No. 6,574,661 be reconsidered and withdrawn.

7) Pending claims 97-102 and 104-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-21 of U.S. Patent No. 6,598,167. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 14):

The '167 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("at least one dispatcher server," claim 1), a network manager ("system resources providing communications network management," claim 1), and a view application (on "integrated interface," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the at least one dispatcher server recited in claim 1 of U.S. Patent No. 6,598,167. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,598,167. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's

entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,598,167 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,598,167; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,598,167, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-21 of U.S. Patent No. 6,598,167 be reconsidered and withdrawn.

8) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-26 of U.S. Patent No. 6,606,708. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at pages 14 and 15):

The '708 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("at least one dispatcher server," claim 1), a network manager ("system resources providing communications network management," claim 1), and a view application (on "system resources...generate client data," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the at least one dispatcher server recited in claim 1 of U.S. Patent No. 6,606,708. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,606,708. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command

and control circuit networks provided by the communications network to the customer.

The claims of U.S. Patent No. 6,606,708 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,606,708; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,606,708, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-26 of U.S. Patent No. 6,606,708 be reconsidered and withdrawn.

9) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-73 of U.S. Patent No. 6,611,498. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 15):

The '498 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("a secure server," claim 68), at least one dispatch server ("a configuring device," claim 68), a network manager ("a configuring device," claim 1), and a view application (on "configuring device," claim 68).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the configuring device recited in claim 68 of U.S. Patent No. 6,611,498. Applicants submit that the claims of the

present application are not obvious variants of the claims of U.S. Patent No. 6,611,498.

For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer.

The claims of U.S. Patent No. 6,611,498 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,611,498; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of

the invention defined in the claim of U.S. Patent No. 6,611,498, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-10 of U.S. Patent No. 6,611,498 be reconsidered and withdrawn.

10) Pending claims 97-102 and 104-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-10 of U.S. Patent No. 6,745,229. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 15):

The '229 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("an invoice server device," claim 1), a network manager ("an invoice presentation device," claim 1), and a view application (on "presentation applet," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the invoice server device recited in claim 1 of U.S. Patent No. 6,745,229. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,745,229. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that

communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,745,229 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,745,229; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,745,229, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-10 of U.S. Patent No. 6,745,229 be reconsidered and withdrawn.

11) Pending claims 97-102 and 104-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-11 of U.S. Patent No. 6,763,376. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 15 and 16):

The '376 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one web server," claim 1), at least one dispatch server ("at least one dispatch server," claim 1), a network manager ("system resources providing communications network management," claim 1), and a view application (on "system resource....generate client data," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the at least one dispatch server recited in claim 1 of the '376 patent. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,763,376. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-

time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,763,376 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,763,376; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,763,376, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-11 of U.S. Patent No. 6,763,376 be reconsidered and withdrawn.

12) Pending claims 97-115 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-20 of U.S. Patent No. 6,968,571. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 16):

The '571 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("at least one dispatcher server," claim 1), a network manager ("system resources providing communications network management," claim 1), and a view application (on "system resources....generate client data," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the at least one dispatcher server recited in claim 1 of U.S. Patent No. 6,986,571. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 6,986,571. For example, claim 97, as amended, recites at least one secure web server that manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 6,968,571 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 6,968,571; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 6,968,571, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-115 on the grounds of non-statutory obviousness-type double patenting based on claims 1-20 of U.S. Patent No. 6,968,571 be reconsidered and withdrawn.

13) Pending claims 97-102 and 104-114 stand rejected on the grounds of non-statutory obviousness-type double patenting as allegedly being unpatentable over claims 1-11 of U.S. Patent No. 7,058,600. Applicants respectfully traverse this rejection.

The Examiner alleges (Office Action at page 16):

The '600 patent contains, an object oriented protocol (IP on the "Internet," claim 1), at least one secure web server ("at least one secure server," claim 1), at least one dispatch server ("at least one dispatch server," claim 1), a network manager ("system resources providing communications management," claim 1), and a view application (on "system resources...generate client data," claim 1).

Applicants submit that this allegation is not sufficient for establishing a proper case of double patenting. For example, the Examiner has not explained how the at least one dispatch server, as recited in claim 97, is an obvious variant of the at least one dispatch server recited in claim 1 of U.S. Patent No. 7,058,600. Applicants submit that the claims of the present application are not obvious variants of the claims of U.S. Patent No. 7,058,600. For example, claim 97, as amended, recites at least one secure web server that

manages secure customer sessions with a customer workstation over the public Internet, the at least one secure web server providing session management for the customer, the session management including: identification of the customer, validation of the customer, determining entitlements of the customer and performing encryption of the secure customer sessions. Claim 97 further recites at least one dispatch server that communicates with the at least one secure web server and a plurality of system resources, where the at least one dispatch server provides verification of the customer's entitlements, and based on the customer's entitlements, forwards messages to a proxy associated with a desired service, where the plurality of system resources include a network manager which manages routing of the customer's traffic over the communications network, and a graphical user interface application to review, in real-time, network traffic associated with the customer, the network manager and the graphical user interface application being responsive to messages from the dispatch server, where the network manager and the graphical user interface application command and control circuit networks provided by the communications network to the customer. The claims of U.S. Patent No. 7,058,600 do not recite at least these features.

If this rejection is maintained, Applicants respectfully request that the Examiner make clear (a) the differences between the inventions defined by the conflicting claims, by comparing each claim in the present application to a claim in U.S. Patent No. 7,058,600; and (b) the reasons why a person of ordinary skill in the art would conclude that the invention defined in the claim at issue would have been an obvious variation of the invention defined in the claim of U.S. Patent No. 7,058,600, as set forth in M.P.E.P § 804.

Accordingly, Applicants respectfully request that the rejection of claims 97-102 and 104-114 on the grounds of non-statutory obviousness-type double patenting based on claims 1-11 of U.S. Patent No. 7,058,600 be reconsidered and withdrawn.

New Claims

New claims 116-120 from one of claims 97, 110, or 115 and, therefore, are allowable over the cited references of record for at least the reasons presented above with respect to claims 97, 110, or 115.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such assertions (e.g., whether a reference constitutes prior art, reasons to modify a reference and/or to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

HARRITY & HARRITY, LLP

By: /David D. Nelson, Reg. No. 47,818/
David D. Nelson
Reg. No. 47,818

11350 Random Hills Road
Suite 600
Fairfax, Virginia 22030
(571) 432-0800

CUSTOMER NUMBER: 25537

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